

REMARKS

Claim 1 has been amended. Support for this amendment can be found at paragraph [0052] of the specification. Claims 1-9 remain in the application.

Claims 1-5 stand provisionally rejected on the ground of nonstatutory double patenting as being unpatentable over claims 1-2, 6, and 13-16 of copending Application 10/572,623. (Applicants assume Examiner actually meant to refer to copending Application 10/573,623). Examiner states the previously filed terminal disclaimer was not approved because it had the wrong filing date for the instant case, the attorney is not of record, and the incorrect form had been used. A new terminal claimer using the correct form (PTO/SB25) is enclosed herewith showing the correct filing date of the instant application. However, no correction has been made to the attorney of record. As the filing receipt for his application shows, the patent practitioners associated with Customer Number 00137, which includes Larry Milco, have power of attorney for this application.

Claims 1-5 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Matsukawa et al. (U.S. Patent No. 6,153,326) in view of Gibbons et al. (U.S. Patent No. 5,589,280) in view of Tsunekawa (U.S. Patent No. 5,948,515) in view of Komiya et al. (Japanese Patent Application JP 02-292013) for the reasons of record. The rejection of these claims is overcome because claim 1 has been amended to recite the wavelength of radiation used to cure the radiation-curable silicone composition. Neither reference, alone or in combination, suggests curing Applicants' radiation-curable silicone composition with radiation having a wavelength of from 250 to 400 nm in the injection molding process of Matsukawa et al.

With respect to claim 1, Examiner states that the combination of Matsukawa, Gibbons, and Tsunekawa does not teach (4) wherein an injection molding system is capable of radiation curing. Examiner further states that Komiya et al. teach injection molding can be done using a mold which is formed by a transparent material which would allow light to irradiate the material

in a cavity. Applicant's respectfully point out that Komiya et al. teach photopolymerization of a resin in an injection molding apparatus using visible light, not Applicant's (ultraviolet) radiation of amended claim 1 having a wavelength of from 250 to 400 nm.

In the method of the present invention, the silicone composition is cured with radiation having a wavelength of from 250 to 400 nm to form a silicone rubber. In order to cure Applicant's radiation-curable silicone composition in an injection molding process, the molds would have to be constructed of a high grade and costly UV-transparent quartz, not glass. Moreover, conventional injection molding equipment would have to be re-designed to accommodate quartz molds and a UV radiation source. Even then, additional technical problems may have to be overcome.

For the reasons stated above, Applicants maintain that it would not have been obvious to one having ordinary skill in the art to modify the injection molding system of Matsukawa et al. with a transparent mold as taught by Komiya et al. for the benefit of molding a radiation curable silicone material. Therefore, Applicants believe the invention of claim 1 is nonobvious over Matsukawa et al. in view of Gibbons et al. (U.S. Patent No. 5,589,280) in view of Tsunekawa (U.S. Patent No. 5,948,515) in view of Komiya et al.

Furthermore, for the reasons stated above regarding claim 1, Applicants believe that claims 2 and 9, which ultimately depend from claim 1, are also nonobvious over the cited references.

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Respectfully Submitted,

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